

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

BAKER BOTTS

JCWSGS 29 JUL 2004

Fax: 214-953-6503

Jul 28 2004 15:13

P.01

**BAKER BOTTS LLP**

Fax receipt will not be confirmed by phone unless requested.

2001 ROSS AVENUE  
DALLAS, TEXAS  
75201-2980  
214.953.6500  
FAX 214.953.6503  
www.bakerbotts.com

AUSTIN  
BAKU  
DALLAS  
HOUSTON  
LONDON  
MOSCOW  
NEW YORK  
RIYADH  
WASHINGTON

FROM Karen Langford  
DATE July 28, 2004  
PAGES 7

VOICE NO. 214.953.6688  
FAX NO. 214.953.6503  
RETURN TO Judy Baggett

TO Office of Initial Patent Examination's Customer Service Center  
U.S. Patent and Trademark Office

FAX NO. 703.746.9195  
VOICE NO.

MESSAGE

Notice of Confidentiality

The information contained in and transmitted with this facsimile is: 1. Subject to the Attorney-client Privilege; 2. Attorney Work Product; or 3. Confidential. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify Baker Botts LLP by telephone at 214.953.6740 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail or, if authorization is granted by the sender, destroyed.

If you do not receive all pages, please call: 214.953.6740 for assistance.

BILLING NO. 073338.0153

ATTORNEY/EMPLOYEE NO. 03338

CRITICAL DEADLINE, SEND BY

PAGE 1/7 \* RCVD AT 7/28/2004 4:13:52 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-2/0 \* DNIS:7469195 \* CSID:214 953 6503 \* DURATION (mm-ss):02:46

ATTORNEY DOCKET NUMBER  
073338.0153

PATENT APPLICATION  
10/808,715

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ching-Fong Su et al.  
Serial No.: 10/808,715  
Filing Date: March 23, 2004  
Confirmation No.: 6064  
Title: ESTIMATING AND MANAGING NETWORK TRAFFIC

VIA FACSIMILE NO. 703.746.9195

Office of Initial Patent Examination's Customer Service Center  
Assistant Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Attached is a copy of the Official Filing Receipt received from the U.S. Patent and Trademark Office in the above-identified patent application for which issuance of a corrected filing receipt is respectfully requested.

The filing date has been incorrectly entered. Delete "03/24/2004" and insert --03/23/2004--. Attached is a copy of the Certificate of Mailing and the Express Mail Receipt, both showing a mailing date of March 23, 2004. A corrected filing receipt is respectfully requested.

While it is believed that this is not an error by the Applicants, the Commissioner is hereby authorized to charge any amount required by this paper or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

DAL01:810370.1

ATTORNEY DOCKET NUMBER  
073338.0153

PATENT APPLICATION  
10/808,715

2

Respectfully submitted this 27 day of July, 2004.

BAKER BOTTS L.L.P.

Attorneys for Applicants



Kurt M. Pankratz

Reg. No. 46,977

CUSTOMER NO. 05073  
Baker Botts L.L.P.  
2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
(214)953-6584

DAL01:810370.1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/808,715	03/24/2004 03/23/2004	2661	1490	073338.0153 (03-52024 FLA	3	48	4

05073  
BAKER BOTTS L.L.P.  
2001 ROSS AVENUE  
SUITE 600  
DALLAS, TX 75201-2980

CONFIRMATION NO. 6064

## UPDATED FILING RECEIPT

OC000000013182759

Date Mailed: 07/08/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Ching-Fong Su, Milpitas, CA;  
Takeo Hamada, Cupertino, CA;  
Kaoru Chujo, Hachioji, JAPAN;  
Hung-ying Tyan, San Jose, CA;  
Xiangying Yang, Austin, TX;  
Takafumi Chujo, Hachioji, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 08/07/2004

Projected Publication Date: 09/29/2005

Non-Publication Request: No

Early Publication Request: No

Title

Estimating and managing network traffic

**Preliminary Class**

370

---

**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Customer Copy  
Label 953 6503

**EXPRESS MAIL**  
UNITED STATES POSTAL SERVICE

DESIGNATED USE ONLY  
073338-053

TO: BAKER BOTTS L.L.P.  
2001 ROSS AVE STE 600  
DALLAS TX 75201-2900

FROM: MAIL SIGNATURE CORPORATION  
PO BOX 1440  
ALEXANDRIA VA 22311-0450

214 953 6500

073338-053 03434 KIMMEL

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com

TO: BAKER BOTTS L.L.P.  
2001 ROSS AVE STE 600  
DALLAS TX 75201-2900

FROM: MAIL SIGNATURE CORPORATION  
PO BOX 1440  
ALEXANDRIA VA 22311-0450

214 953 6500

073338-053 03434 KIMMEL

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com

073338.0153 (03-52024 FLA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ching-Fong (nmi) Su, et al.  
Date Filed: March 23, 2004  
Title: ESTIMATING AND MANAGING NETWORK  
TRAFFIC

**MAIL STOP: PATENT APPLICATION**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Patent Application (31 pages, including Specification, Claims, and Abstract), 3 sheets of formal Drawings, a check in the amount of \$1,360.00 to cover the application filing fee, Declaration and Power of Attorney (unsigned) and this Certificate of Mailing are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on this 23rd day of March, 2004 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Willie Jiles*  
Willie Jiles

Express Mail Receipt  
No. EV 323455330 US  
Attorney's Docket: 073338.0153 (03-52024 FLA)

DAL01:787338.1